

DAC #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket No.

STEPHANE PENAIN ET AL

PHFR 000156

Serial No.: 10/032,992

Group Art Unit: 2631

Filed: DECEMBER 26, 2001

Title: TRANSFER OF A SERIES OF DATA

Commissioner for Patent
Washington, D.C. 20231

RECEIVED

FEB 10 2003

OFFICE OF PETITIONS

PETITION TO FILE APPLICATION ON BEHALF OF CO-INVENTOR
WHO IS UNAVAILABLE UNDER 37 C.F.R. §1.47

Sir:

Applicant hereby respectfully petitions to revive the above-identified patent application. Applicants received a "Notice To File Missing Parts Of The Application" dated 02/04/02 (attached as Exhibit A), that indicated that the oath or declaration was missing or unexecuted.

Accompanying this petition is a partially executed declaration signed by second inventor, Jean-Christophe Seguy, and a copy of the notice. The first inventor's Stephane Penain signature is missing. Mr. Penain signed an employment contract with N.V. Philips on 3/14/2000 that assigned his inventions and patents issuing on his inventions worldwide to N. V. Philips Industries.

Koninklijke Philips Electronics, N.V., the owner (by assignment and operation of law) of the invention embodied in the

Adjusted date: 05/20/2003 SDIRETA1
05/12/2003 CKHLOK 00000017 141270 10031992
02 FC:1460 130.00 CR
03 FC:1051 130.00 CR
S:\GR\ma27gra0.eco.doc

05/12/2003 CKHLOK 00000017 141270 10031992
02 FC:1460 130.00 CR
03 FC:1051 130.00 CH

05/29/2003 SDIRETA1 00000001 141270 10032992
02 FC:1460 130.00 CH

above-referenced patent application, hereby petitions to file the accompanying application on behalf of Stephane Penain. Mr. Penain is a co-inventor of the present application. Mr. Penain conceived the subject matter of this invention while employed by Laboratoires D'Electronique Philips, France which is a subsidiary of Koninklijke Philips Electronics, N.V.

As more fully set forth in the accompanying "Declaration of Facts Regarding Inventor's Unavailability", by Ms. Claudine Laublin (attached as Exhibit B), several unsuccessful attempts have been made to locate and contact Mr. Penain (e.g., certified mailings, multiple letters on multiple occasions, attempts to email, etc.). Therefore, Koninklijke Philips Electronics, N.V., on behalf of Mr. Penain hereby petitions the Patent Office, pursuant to 37 C.F.R. § 1.47, to allow Koninklijke Philips Electronics, N.V. to file this application on Mr. Penain's behalf. Mr. Penain's last known address is 202, rue de Tolbiac, Paris, FRANCE, 75013.

MPEP 711.03(c) subsection E. entitled "Party Whose Delay is Relevant", states that "When the applicant assigns the entire right, title, and interest in an invention to a third party (and thus does not retain legal or equitable interest in the invention), the applicant's delay is irrelevant in evaluating whether the delay was unavoidable or even unintentional."

The entire delay in filing the required reply from the due date for the reply until the filing of this petition was unintentional.

The Commissioner is hereby authorized to credit any overpayment or charge any fee (except the issue fee) including fees for any required extension of time, to Account No. 14-1270.

Attached as Exhibit C is a declaration of Russell Gross, Esq. supporting this Request.

Respectfully submitted,

By 

Russell Gross, Reg. 40,007
Patent Attorney
(914) 333-9631

Enclosures: Exh. A: Copy of February 4, 2002 Notice to File
Missing Parts
Exh. B: Declaration of Facts Regarding Inventor's
Unavailability by Claudine Laublin
Exh. C: Declaration of Russell Gross

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date
with the United States Postal Service as first-class mail in an envelope addressed to:
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

On

January 31, 2003

By

Sha Chapa



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/032,992	12/26/2001	Stephane Penain	FR 000156

Michael E. Marion
U.S. Philips Corporation
580 White Plains Road
Tarrytown, NY 10591



CONFIRMATION NO. 9228

FORMALITIES LETTER



OC000000007417206

Date Mailed: 02/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

05/29/2003 SDIRETA1 00000001 141270 10032992

03 FC:1051 130.00 CH



DECLARATION and POWER OF ATTORNEY

ATTORNEY'S DOCKET NO.:
PHFR000156 US

As a below named inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
"Transfer of a series of data"

the specification of which (check one)

☐ is attached hereto.

☒ was filed on December 26, 2001 as Application Serial No. 10/032992 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APP. NUMBER	DATE OF FILING (DATE, MONTH, YEAR)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
France	0017209	28 December 2000	YES

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

PRIOR UNITED STATES APPLICATION(S)

APPLICATION SERIAL NUMBER	FILING DATE	STATUS (PATENTED, PENDING, ABANDONED)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Jack E. Haken, Reg. No. 26,902
Michael E. Marion, Reg. No. 32,266
Edward M. Blocker, Reg. No. 30,245

RECEIVED

FEB 10 2003

SEND CORRESPONDENCE TO: Corporate Patent Counsel; U.S. Philips Corporation; 580 White Plains Road; Tarrytown, NY 10591	DIRECT TELEPHONE CALLS TO: (name and telephone No.) (914) 332-0222	OFFICE OF PETITIONS
--	--	---------------------

Dated:		Inventor's Signature:	
Full Name of Inventor	Last Name PENAIN	First Name Stephane	Middle Name
Residence & Citizenship	City Villecresnes	State or Foreign Country France	Country of Citizenship France
Post Office Address	Street 7, Chemin des Beaumonts	City F-9440 Villecresnes	State or Country France
Zip Code			
Dated: 14 janvier 2003		Inventor's Signature:	
Full Name of Inventor	Last Name SEGUY	First Name Jean-Christophe	Middle Name
Residence & Citizenship	City Paris	State or Foreign Country France	Country of Citizenship France
Post Office Address	Street 6 rue du Tage	City F-75013 Paris	State or Country France
Zip Code			



EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/032,992	12/26/2001	Stephane Penain	FR 000156

CONFIRMATION NO. 9228

FORMALITIES LETTER



OC000000007417206

Michael E. Marion
U.S. Philips Corporation
580 White Plains Road
Tarrytown, NY 10591

Date Mailed: 02/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

13
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2002 FEB - 9

DOCKETED	DATE	INITIAL
COMPUTER	PC FEB 07 2002	
SECRETARY	2/12/02	E.C.
ATTORNEY		

EXHIBIT B

DECLARATION

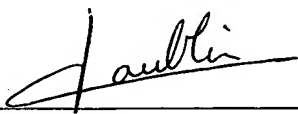
PHFR 000156

I hereby declare that based on competent evidence. I believe that:

On March 2000 Stephane Penain and Jean-Christophe Seguy filed the Invention Disclosure entitled "EFFICIENT TRANSFER OF DCT BLOCKS", which forms the basis of the present patent application and in which Stéphane Penain was named as one of the inventors (attachment 1). On December 28, 2000, a French patent application (appl no 0017209) was filed based on the above-mentioned Invention Disclosure. On February 7, 2002, the relevant patent application, along with an Assignment, Declaration and Power of Attorney (herein the documents) were sent to the inventor Mr. Penain with an accompany letter (attachment 2) requesting his signature. On December 26, 2001, a patent application entitled "Transfer of a series of data" (application number 10/032,992) was filed at the USPTO, claiming the priority of the above-mentioned French patent application. On March 13, 2002 a mail was sent to Mr. Penain, in which he was asked again to sign the documents (attachment 3). On April 17, 2002, a mail was sent to Mr. Penain again asking him to sign the documents (attachment 4). On May 30, 2002 an e-mail was sent to Mr. Penain again reminding him to sign the documents (attachment 5). On July 9, 2002 an e-mail was sent to Mr. Penain again asking him to sign the documents (attachment 6). To date the signed documents have not been received from Mr. Penain.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By 
Claudine Laublin

Date January 22, 2003

Company Restricted

LABORATOIRES D'ELECTRONIQUE PHILIPS

22 AVENUE DESCARTES - BP 15 - 94453 LIMEIL-BRÉVANNES CEDEX - TEL : 01 45 10 67 00 - FAX : 01 45 10 69 56

Local Nr L2000-028-AM


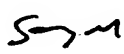
← reserved for the administration →

ID Nr

COMMUNICATION OF AN INVENTION

Deemed to be the declaration classifying the invention as made under a work contract with inventive mission (Art. L 611-7 §1, R 611-2 §3 French Patent Law)
 Vaut classement comme invention de mission selon les art. L.611-7 §1, R.611-2 §3 du Code de Propriété Intellectuelle

Title : Enhanced transfer for DCT-Blocks	Date : 14/03/00
--	-----------------

INVENTOR	1	2	3
NAME	Penain Stéphane	Jean-Christophe Seguy	<div style="border: 2px solid black; padding: 5px; text-align: center;"> REÇU RECEIVED 15 MARS 2000 CIP-FR SPID </div>
Given name			
Nationality	FR	FR	
Site	LEP	LEP	
Phone	6861 -	6875	
Signature			
Date	14/03/2000	14/03/2000	

Inventors commit themselves to provide at any moment the necessary cooperation and signatures for obtaining a patent in any country.
Chaque inventeur s'engage à fournir à tout moment l'aide et les signatures nécessaires à l'obtention du brevet dans tout pays.

Patentable invention = technical idea + implementation (even on paper only)
 (a desired result, or an idea as such, are not (yet) patentable)

How to describe an invention ?

1. Describe or cite background art (a product, a standard, a publication, a patent,...)
Please enclose any documents cited.
2. Describe the problem to be solved.
3. Describe the solution.

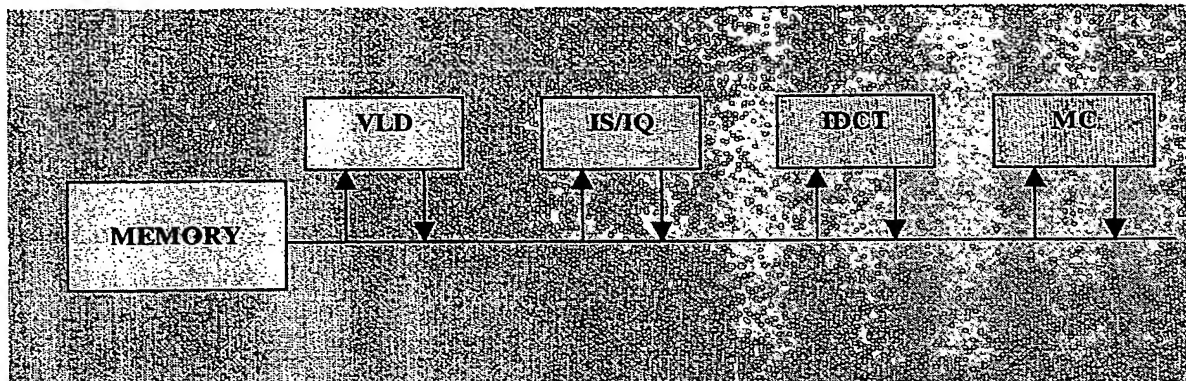
Describe at least one implementation with reference to drawings
 (a schematic diagram, a flow chart,...)

Make the description as clear and simple as possible, and preferably in English.

Ce document est à envoyer au service Communication
 qui le transmettra au Philips Corporate Intellectual Property - France (SPID)
 et au(x) chef(s) de division concerné(s)

Problem description

One of the main issue during an MPEG decoding is the bandwidth management. On a central Bus architecture, each step of the MPEG decoding generates more and more data, and so that an explosive growth of the bandwidth needed for the decoding. A huge bandwidth consumption means that the real time constraints become harder to reach.

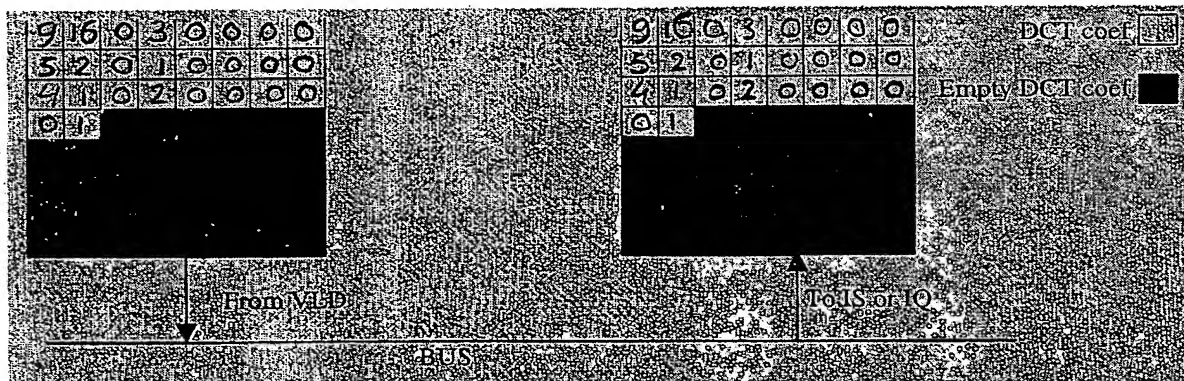


Principle of operation

This invention consists in a generic and flexible implementation of an arbiter.

The invention consists in a better use of the data structures which transmitted from one block unit to another. One of the Variable Length Decoder (VLD) unit task is to generate MPEG DCT blocks by reading the input bitstream. Concerning the Inverse Scan (IS) unit, it has to read the MPEG DCT block from the VLD and generates a new one. One MPEG DCT block consists in 64 DCT coefficients. Most of the last coefficients are empty (0).

In order to decrease the bandwidth consumption between the Variable Length Decoder (VLD) unit and the Inverse Scan (IS) unit, the invention consists in writing to the Bus and reading from the Bus only the non-empty DCT-coefficient and the number of non-empty coefficient.



Key-words

Variable Length Decoder, Inverse Scan, Inverse Quantization, VLSI, architecture.

Applications

MPEG-1, MPEG-2 decoder, H263 decoder.

Author

Stephane Penain- Jean-Christophe Seguy.

Tel : 01 45 10 68 61

Email : stephane.penain@philips.com

File : ~penain/doc/brevet/ f-138_block_dct.doc

ID ABSTRACT			
ID-number: 300660	Client reference: L2000-028-AM	Patent Engineer: den Braber	To be filled in by GS&S:
Inventors:		ISC:	PS:
PENAIN, Stéphane		R10	PS:
SEGUY, Jean-Christophe		R10	PS:
			PPManager:
Short title: EFFICIENT TRANSFER OF DCT BLOCKS			
OS-codes: 1204VD DV1200		ID Date:	16.03.00
Project code:	Action code: 2	Action Code Date:	31.03.00
ABSTRACT			
<p>Advantages / Improvements: cost-efficiency.</p> <p>Application / Use: in general systems that process blocks of data, in particular ICs for MPEG video decoding.</p> <p>Background. A data-processing system in which a circuit transfers data blocks to another circuit via a bus system. For example, in an MPEG decoder, a variable length decoder applies DCT blocks to an inverse scanner (IS), which precedes an inverse discrete cosine transformer (IDCT).</p> <p>Problem. In more and more data-processing systems, circuits need to exchange a relatively large amount of data per unit of time. This implies that the bus system should have a relatively large bandwidth. The larger the bandwidth of a bus system is, the more expensive the data-processing system will be.</p> <p>Solution. A data block is transferred from one circuit to another in the following manner. A transmitting circuit only sends those samples for which there is, until the end of the data block, at least one succeeding sample whose value is not the reference value. The last sample that the transmitting circuit sends is followed by an end-indication. The end-indication indicates that all samples succeeding the last-sent sample have the reference value. A receiving circuit recreates, in effect, the data block by placing reference values behind the sample that precedes the end-indication.</p> <p>Accordingly, it is possible to transfer a data block from one circuit to another without always transferring all samples of the data block. Consequently, this reduces the amount of data per unit of time that a bus system needs to transfer. Consequently, it allows a reduction of cost.</p>			
(Please return to local GS&S)			

Copies : Mr van Lieshout CIP-NL + Inventeurs + T. Brouste + A. Mircéa (LEP)
Mr Charpail CIP-FR

Confidential - for internal use only

**Philips Corporate Intellectual Property**

156 Boulevard Haussmann 75008 Paris France

Paris, 7 février 2002

Monsieur Stéphane PENAIN
202, rue de Tolbiac

75013 - PARIS

CL
PHFR000156**Objet : Dépôt aux USA d'un brevet sous priorité française.**

Monsieur

Nous sommes en France le service brevets de PHILIPS.

En 2000 vous avez été co-auteur d'une invention déposée au nom de Philips

Nous procédons actuellement aux opérations de dépôt du brevet aux USA pour lesquelles vos signatures sont requises sur les documents ci-joints à savoir :

- 1 QUESTIONNAIRE,
- 1 "DECLARATION AND POWER OF ATTORNEY" US
- 1 "ASSIGNMENT"

Nous joignons également le texte tel que déposé. En cas de corrections de votre part, nous retourner les pages corrigées en paraphant et datant en marge.

Nous vous serions reconnaissants de nous retourner ces documents dès que possible.

Nous vous prions d'agréer, Monsieur, l'expression de nos sincères salutations.


C. LAUBLINP.J. : 3 documents à signer
1 texte
1 enveloppe timbrée

**Philips Corporate Intellectual Property**

156 Boulevard Haussmann 75008 Paris France

Paris, 7 février 2002

Monsieur Stéphane PENAIN
202, rue de Tolbiac

75013 - PARIS

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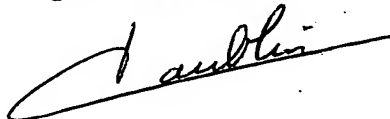

C. LAUBLINP.J. : 3 documents à signer
1 texte
1 enveloppe timbrée

le 13/03/2002

RAPPEL

Nera

Sincères Salutations



**Philips Corporate Intellectual Property**

156 Boulevard Haussmann 75008 Paris France

Paris, 7 février 2002

Monsieur Stéphane PENAIN
202, rue de Tolbiac

75013 - PARIS

CL
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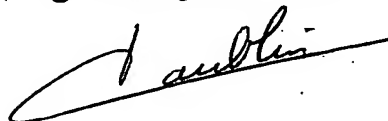

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- 1 QUESTIONNAIRE,
- 1 "DECLARATION AND POWER OF ATTORNEY" US
- 1 "ASSIGNMENT"

Nous joignons également le texte tel que déposé. En cas de corrections de votre part, nous retourner les pages corrigées en paraphant et datant en marge.

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Nous vous prions d'agréer, Monsieur, l'expression de nos sincères salutations.


C. LAUBLINP.J. : 3 documents à signer
1 texte
1 enveloppe timbréele 13/03/2002
RAPPEL
Merci
Sincères Salutationsle 17/04/2002
RAPPEL
Merci
Sincères Salutations

 PHILIPS

Claudine Laublin

Pour : Stephane_penain@sdesigns.com

cc :

Objet : documents à signer - PHFR000156

Categorie: Unclassified



30/05/02 16:14

Bonjour,

Le 7 février 2002, je vous ai envoyé,
au 202 rue de Tolbiac
75013 - PARIS

des documents à signer pour les US, documents qui étaient déjà signés par J.C. Seguy.
(correspondant au 1er dépôt FR 0017209 du 28/12/2000).

Les 13 mars 2002 et 17 avril 2002, je vous ai envoyé un avis de rappel.

Pour que le brevet soit valide aux US, il faut que ces documents soient signés par les inventeurs et
ensuite déposés à l'Office américain.

Pourriez-vous me retourner très rapidement ces documents ?

Merci de votre aide.

Sincères salutations.

Claudine Laublin

Patents Administration Philips IP&S-FR

Philips Intellectual Property & Standards

Mail/visitor's address: Société Civile SPID - 156, boulevard Haussmann (A,5th floor) - 75008-Paris,
France

Phone: 33 (0)1 40 76 80 45 - Facsimile: 33 (0)1 45 61 05 36

E-mail: claudine.laublin@philips.com

Web site : <http://pww.nl.ips.philips.com>

PHILIPS

Claudine Laublin

Pour : stephane_penain@sdesigns.com

cc :

Objet : documents à signer - PHFR000156 - RAPPEL

Categorie: Unclassified



09/07/02 16:15

Bonjour,

Le 7 février 2002, je vous ai envoyé,
au 202 rue de Tolbiac
75013 - PARIS

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(correspondant au 1er dépôt FR 0017209 du 28/12/2000).

Les 13 mars 2002 et 17 avril 2002, je vous ai envoyé un avis de rappel par courrier et le 30 mai 2002
un avis de rappel par e.mail.

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ensuite déposés à l'Office américain.

Pourriez-vous me retourner très rapidement ces documents ?

Merci de votre aide.

Sincères salutations.

Claudine Laublin

Patents Administration Philips IP&S-FR

Philips Intellectual Property & Standards

Mail/visitor's address: Société Civile SPID - 156, boulevard Haussmann (A,5th floor) - 75008-Paris,
France

Phone: 33 (0)1 40 76 80 45 - Facsimile: 33 (0)1 45 61 05 36

E-mail: claudine.laublin@philips.com

Web site : <http://pww.nl.ips.philips.com>

EXHIBIT C

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of

Atty. Docket No.

STEPHANE PENAIN ET AL

PHFR 000156

Serial No.: 10/032,992

Group Art Unit: 2631

Filed: DECEMBER 26, 2001

Title: TRANSFER OF A SERIES OF DATA

Commissioner for Patent
Washington, D.C. 20231

DECLARATION OF RUSSELL GROSS

I Russell Gross declare that:

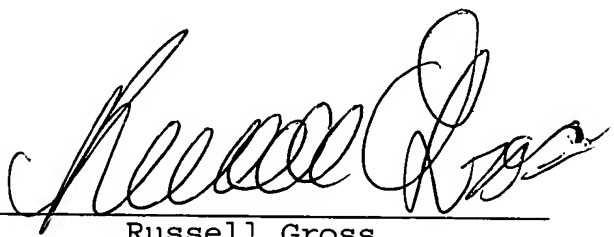
I am Intellectual Property Counsel for Philips Electronics North America Corporation a subsidiary of Koninklijke Philips Electronics, N.V.

In this capacity, I am authorized to act on behalf of Koninklijke Philips Electronics, N.V. in connection with its patent and other intellectual property matters.

I am advised that Koninklijke Philips Electronics, N.V., has made several unsuccessful attempts to contact Stephane Penain, a co-inventor of the above-referenced patent application, to sign a declaration relating to the current application. Additionally, I am advised that several unsuccessful similar attempts to contact Mr. Penain have been made by Ms. Claudine Laublin.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1/31/03
Date


Russell Gross